Art Unit: 1104

Examiner: Skapars, A.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Bailey et al.

Serial No.: 07/641,394

Filed: January 15, 1991

For: BATTERIES WITH TESTER LABEL

Commissioner of Patents and Trademarks Washington, D.C. 20231

Dear Sir:

AMENDMENT, PETITION AND FEE DELETING CORRECTLY NAMED ORIGINAL PERSONS WHO ARE NOT INVENTORS

OF INVENTION NOW BEING CLAIMED (37 C.F.R. § 1.48[b])

This Amendment and Petition under 37 C.F.R. \$ 1.48(b) is to delete the names of the following persons originally named as inventors and who are not the inventors of the invention now being claimed: Jean W. Bailey and Harry R. Huhndorff.

This Amendment and Petition is being filed concurrently with the deletion of claims 36-42 for which the inventor Jean W. Bailey who is being deleted made a contribution. Claim 45 for which the inventor Harry R. Huhndorff made a contribution was deleted via a response in the present case filed on October 2, 1992.

The fee required by 37 C.F.R. § 1.17(h) is paid by an enclosed check for \$130.00.

Respectfully submitted,

GARY R. TUCHOLSKI

Price, Heneveld, Cooper, DeWitt & Litton

October 22, 1992

Randall G. Litton

Registration No. 24 013

695 Kenmoor, S.E.

Post Office Box 2567

Grand Rapids, Michigan 49501

(616) 949-9610

RGL: jkt

8 OCT 2 2 1997

PATENT

Express Mail RB782077208US

N THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : A. Skapars

Art Unit: 1104

Applicant: Gary R. Tucholski

Serial No.: 07/641,394

Filed: January 15, 1991

For : BATTERIES WITH TESTER LABEL

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Dear Sir:

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that the attached Postcard; Amendment Under 37 C.F.R. §1.115 and Request for Declaration of Interference Under 37 C.F.R. §1.607; Amendment, Petition and Fee Deleting Correctly Named Original Persons Who Are Not Inventors of Invention Now Being Claimed, Under 37 C.F.R. §1.48(b); A check in the amount of \$130 pursuant to 37 C.F.R. §1.17(h); Letter Under 37 C.F.R. §1.608(b); Declaration Under 37 C.F.R. §1.608(b) of Gary R. Tucholski (22 pages, 24 Attachments); Declaration Under 37 C.F.R. §1.608(b) of Robert W. Strong (3 pages, 6 Attachments); Declaration Under 37 C.F.R. §1.608(b) of Dr. Frank B. Tudron (24 pages, 38 Attachments); Declaration Under 37 C.F.R. §1.608(b) of Dr. John C. Bailey (4 pages, 11 Attachments); Declaration Under 37 C.F.R. §1.608(b) of Jerrold Winger (2 pages, 1 Attachment); Declaration Under 37 C.F.R. §1.608(b) of Helen M. Friend (3 pages, 4 Attachments); Declaration Under 37 C.F.R. §1.608(b) of George E. Blomgren (2 pages, 3

Attachments); Declaration Under 37 C.F.R. §1.608(b) of Timothy D. Foley (2 pages, 4 Attachments); Declaration Under 37 C.F.R. §1.608(b) of Ward M. Klein (1 page, 1 Attachment); Declaration Under 37 C.F.R. §1.608(b) of Robert W. Welsh (2 page, 2 Attachments); A check in the amount of \$848 in accordance with the cancellation of dependent claims 36-42 and addition of claims 54-70 are being deposited with the United States Postal Service as Express Mail in an envelope having Express Mail Mailing Label Number RB782077208US addressed to:

Commissioner of Patents and Trademarks Washington, D.C. 20231

on October 22, 1992.

Respectfully submitted,

GARY R. TUCHOLSKI

By: Price, Heneveld, Cooper, DeWitt & Litton

Randall G. Litton

Registration No. 24 013

695 Kenmoor, S.E.

Post Office Box 2567

Grand Rapids, Michigan 49501

Laber 22, 1992

(616) 949-9610

RGL: jkt

Date: